

WorkSource System Policy 1019 (Eligibility Policy and Handbook) – Public Comment and WCDD Responses

May 30, 2013

NOTE: At the Policy Advisory Committee's (PAC's) request, the Workforce and Career Development Division (WCDD) is in the process of modifying its public comment process. The goal is to increase engagement earlier in the policy development process leading up to a final draft so that technical assistance is directed primarily toward implementation rather than clarifications that should be addressed during the initial drafting process.

To respond to this request, WCDD has reviewed all comments and has used discretion to identify and remove comments that are better addressed in a Q&A document than as a formal public comment response. These questions are addressed in the Q&A section within the handbook.

Name	Entity	Comments	WCDD Response
Amy Gimlin	Southwest WDC	<p>Overall I like this transition to the Handbook method. I think it will take some time implementing, but the results in the future will be worth it.</p> <p>My only comment is the documentation chart towards the end is a little confusing. I understand it because I have knowledge around the Data Validation requirements. My concern is the abbreviations and the reference to the elements will confuse the situation. If there is a way to explain it further or change the language, I think it would be helpful for staff.</p>	<p>In developing the documentation matrix WCDD recognized that instruction would need to be provided as the documentation matrix captures and illustrates a large amount of information. After the instruction provided during the May 7 Webinar, and based on the feedback received, WCDD believes this matrix will prove to be effective in the long run. Some edits have been applied to clarify language and better link to Data Validation guidance, and WCDD will continue to respond to technical assistance requests concerning the matrix (along with the rest of the handbook).</p>
Lori Meakin	Spokane WDC	<ol style="list-style-type: none"> 1. Since the WDCs are required to implement this policy and handbook in place of existing eligibility policies, then does that mean that the WDC follows the same process done here, and writes just one Local Eligibility policy (which supersedes our previous eligibility and program policies) and provides the local handbook with our additions for Local Responsibilities guidance? 2. Section 2 or Section 3.a. Suggest adding a sentence, something like the following: <i>The intention of this policy and handbook is only to define eligibility. The eligibility process alone may not complete the enrollment process, as local areas may have defined additional documentation requirements. (Examples – WDC's usually require documents beyond eligibility, such as a signed registration form, or documentation of distributed Equal Employment Opportunity or Complaint and Grievance information. Or a service provider may require specific documents such as Drug Free Workplace, etc).</i> <p>Not sure of the best wording, but want it understood that the eligibility process alone does not complete the process to</p>	<ol style="list-style-type: none"> 1. WCDD's intent is for the handbook to replace the need for any additional eligibility documents. However, WDCs may choose to maintain separate policies and utilize the handbook as a tool or framework for local policy implementation. If WDCs choose to adopt and implement the handbook, local areas must add certain components (local responsibilities guidance) to the handbook and may add other components to the handbook as needed. 2. WCDD has added language similar to what was suggested to clarify that the policy and handbook address eligibility requirements, not specific enrollment procedures or requirements.

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		<p>enrollment.</p> <p>3. 2.2 – Local Def of Low Income Utilizing the definition of low-income at WIA Sec. 101(25), WDCs make local determinations regarding income verification and what is included or excluded as income (Policy XXXX Sec. 3.d - Local Responsibilities).</p> <p>It is important that the state policy provide at least a base list, to ensure consistency and to prevent possible oversight of an income type. Many sources of income have requirements or mandates on how WIA categorizes them for income. WDC's do not get to define all included and excluded income. Many states have provided guidance on the required includable and excludable incomes. See example from the PA Technical Assistance Guide.</p>	<p>3. Using the definition of low-income at Sec. 101(25), WDCs have the flexibility to make local determinations. It is also important to remember that income verification is not a standard WIA requirement under the Adult program, except for prioritization purposes when a local area has determined funds to be limited.</p> <p>WIA Sec. 101(25) provides guidance on what is not to be included as income and who automatically qualifies as low-income (without the need for income verification). To maintain flexibility as allowed by WIA, WCDD will not mandate the types of income that should be included by local areas beyond what is prescribed at WIA Sec. 101(25). WCDD has included in the handbook samples or options to assist local areas in making this determination.</p>
Cheryl B. Fambles	Pacific Mountain WDC	<p>1. PMWDC policies must align with this policy. We can modify to add information such as for Data Validation, etc. However, the handbook does not provide enough information to determine eligibility; this would feel incomplete to recommend distributing to WIA Adult & Dislocated Worker contractors.</p> <p>2. The policy "strongly encourages" WDAs to use the self attestation form in the handbook. We have our own self-certification/co-lateral statement forms for a variety of different situations. It could be risky to use self attestation for the items listed in the policy and especially for "legally entitled to employment in the US".</p>	<p>1. The handbook is intended to serve as a framework for local policy implementation and does not limit local modifications to any particular section within the handbook, nor does the handbook require complete adoption and implementation of the handbook format by WDCs. The handbook identifies "gaps" that correspond to the local requirements that are identified in the policy. Local modifications must be made based on these components, and modifications are not limited to these minimum requirements. After addressing required local policy determinations and adding any additional local policy requirements, WCDD believes this handbook, if implemented, will be an effective tool for staff to determine eligibility.</p> <p>2. The attached sample form can be modified to remove elements (i.e. if a WDC is not comfortable allowing self-attestation for legally entitled to employment in the U.S.). However, the documentation matrix in the handbook identifies minimum documentation requirements (one for each component). Self-attestation or other allowable documentation (listed in the matrix) is required to meet the state/federal requirement, even if supplemental documentation is added to meet the local requirement.</p>